

I yield the floor.

Mr. SANTORUM addressed the Chair.

Mr. LEVIN. Will the Senator from Pennsylvania yield for a unanimous-consent request?

Mr. SANTORUM. Certainly.

Mr. LEVIN. Mr. President, I ask unanimous consent that following the statement of the Senator from Pennsylvania, I be recognized to proceed in morning business for up to 20 minutes.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. LEVIN. I thank my friend from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### THE DEPORTATION OF IMMIGRANTS

Mr. SANTORUM. Mr. President, let me first address the issue the Senator from Massachusetts was referring to with respect to deportation of immigrants in this country. I am a very strong supporter of the Mack amendment. I believe people are entitled to due process and the right to be heard. Promises were made by many administrations and Congresses. These people were welcomed into this country as a result of the political strife that was going on in various countries in Latin America. I think it would be a true injustice for us to have changed the rules in midstream for many, literally thousands of people who are awaiting deportation hearings right now, to deport them in lieu of that hearing.

So I stand with Senator MACK and Senator GRAHAM from Florida, Senator KENNEDY, and Senator ABRAHAM from Michigan in support of the Mack legislation.

#### CAMPAIGN FINANCE REFORM

Mr. SANTORUM. The subject matter on which I want to spend the majority of my time speaking on is the issue of campaign finance reform. As Members have gotten up to discuss the issue, I think one might be led to the impression that those of us who oppose McCain-Feingold are not for any changes in campaign finance rules and that we don't see that there are some problems there. I want to make it very clear that, as a Senator who is on the Rules Committee, which is the committee that has the jurisdiction on this subject matter—we have been bypassed by these floor maneuvers but we do have jurisdiction and have looked into this subject quite extensively—that I don't know of anybody on the Rules Committee on either side who does not believe the current campaign finance system has some problems with it and there are things that we can do to fix it.

We disagree on how to do that. Let me just, if I can, draw the differences between how one side wants to do it and the other side; sort of the big picture, not really talking so much about

specifics but a general philosophy. Then I will get into more specifics.

The general philosophy of those of us who oppose the McCain-Feingold approach is that we believe that we can fix the campaign finance system in this country by making it purely voluntary, so that no one is going to be forced to contribute to an election. That is something that you would think is as fundamental as any right that we have in this country, that you should not be forced by your employer, by your union, by your association, or by your family to contribute to anyone the resources that you have worked hard to earn. So, one general tenet is that contributing to campaigns must be completely voluntary. I think that is a tenet you would suspect would be universally shared. It is not universally shared. People in support of McCain-Feingold, by and large—there are some exceptions, but few—do not support the concept that campaign contributions should be voluntary. That is one difference.

Second, that we achieve a better campaign system, a better campaign and a better campaign financing system, by increasing participation, by having more voices in the political discourse, not fewer. Those of us who oppose McCain-Feingold strongly hold to that reading of the first amendment that ensures, guarantees, one of the highest guarantees in the Constitution, the right of speech, political speech, and political discourse.

In this country today, political speech does not mean—it means this, what I am doing. But it does not only mean standing up on the street corner and sounding off on what you believe in. These days, if you are standing on the street corner sounding off on what you believe in, basically you are labeled some sort of freak. We believe the first amendment covers organized political speech, that is, people who ban together, who want to speak on a particular issue and marshal whatever resources they have, whether it is resources in manpower to distribute fliers that they print at a half a cent apiece, or to buy a radio ad on a local radio station or to, in fact, hold public meetings and public debates. Whatever medium they want to use, I think is appropriate to be protected by the Congress and by the first amendment.

On the other side, you have people who want to limit that activity. They want to limit people's ability to speak in the political arena because they find certain kinds of speech offensive, like people who advertise in opposition to a Member of Congress or a Senator saying that they voted in such a bad way and don't vote for them, and they do it within 60 days of the election; that is bad; somehow people getting together and expressing their opinion in a public forum is a bad thing that has to be prohibited by the Congress.

I don't believe that. I don't like it when someone does it to me, and it's been done to me and it will be done to

me unless we pass one of these bills that says you can't. By the way, even if we did do that, I believe the Supreme Court would strike it down in a heartbeat. But I believe it will be done again.

I don't have a problem with it, even though it happens to me, because I think people have a right if they don't like what I am doing to speak up about it, even if I think the attack is unfair, because I trust the American public. I know a lot of people around here on a pretty regular basis don't trust the American public, but I trust the American public and the voters of America to sort of figure out all of those things on their own with the help of all the other information that they are going to get from networks like C-SPAN2, as we are on today, and other independent sources, that that ad, as nasty as it is, as horrible as it is, is not going to change somebody's opinion overnight. People are smart enough to take all that information, realize it is an ad, discount it to the degree they usually do and filter it into the mix, as we do with all speech.

But the other side believes that it is dangerous speech. I believe that there is nothing inherently dangerous about speech; there is something inherently dangerous about limiting speech, because once we start to limit speech, then that takes freedom away from the masses, from the people and gives that freedom and control to a bunch of people in Washington, DC, who think they know what is best for you.

You probably hear many Senators talk in those terms when it comes to a variety of other subjects in Washington, DC. I suggest that this attempt to take power away and freedom away from people and centralize it in Washington is consistent with what the other side of the aisle generally wants to do when it comes to every decision in your life. As a result, we have the huge Government that we have in Washington, DC. We have grown and grown and grown because we have taken more and more freedom away from people, whether it is in the form of freedom to use the money that you have earned by higher and higher taxes, or whether it is freedom in the form of regulation on regulation on every aspect of business and your life.

We have taken that responsibility, we have taken your freedom and have centralized that decisionmaking in Washington, DC. This is another attempt to do that. This has the salutary effect, from those who believe in big government, of stifling your criticism of big government. This is a win-win. This allows them to continue to grow government without you being able to speak out against it. So they can stifle you at the same time they continue what they want to do in the first place. I think that is very, very, very dangerous to the future of this country.

Columnist George Will called the filibuster—I don't know whether that is what it is or not, but let's use that